

1                   ZONING MAP ORDINANCE NO. Z-14-862                   AN ORDINANCE amending the City of  
3                   Fort Wayne Zoning Map No. S-14.4                   BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
5                   FORT WAYNE, INDIANA:6                   SECTION 1. That the area described as follows is  
7                   hereby designated a P.O.D. (Professional Office District)  
8                   under the terms of Chapter 33 of the Code of the City of  
9                   Fort Wayne, Indiana of 1974:10                  1.08 acres of land in the East Half of the Southeast  
11                  Quarter of Section 32, Township 31 North, Range 13  
12                  East, in Allen County, Indiana, described as follows,  
                        to-wit:13                  Beginning at the Northeast corner of the East half of  
14                  the Southeast Quarter of Section 32, Township 31 North,  
15                  Range 13 East in Allen County, Indiana; thence South 10  
16                  minutes West along the East line of the said East Half  
17                  of the Southeast Quarter of Section 32, Township 31  
18                  North, Range 13 East, a distance of 485.1 feet; thence  
19                  West a distance of 95.0 feet; thence North 10 minutes  
20                  East a distance of 485.1 feet to the North line of the  
21                  said East Half of the Southeast Quarter of Section 32,  
22                  Township 31 North, Range 13 East; thence East along the  
23                  said north line of the East Half of the Southeast  
24                  Quarter of Section 32, Township 31 North, Range 13  
25                  East, a distance of 95.0 feet to the place of begin-  
26                  ning;

27                  ALSO,

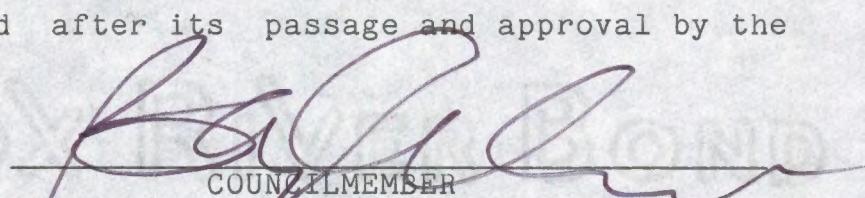
28                  1.0 acre of land in the East Half of the Southeast  
29                  Quarter of Section 32, Township 31 North, Range 13  
30                  East, in Allen County, Indiana, described as follows,  
                        to-wit:31                  Beginning at a point on the North line of the East Half  
32                  of the Southeast Quarter of Section 32, Township 31  
33                  North, Range 13 East in Allen County, Indiana, the said  
34                  point being situated 95.0 feet west of the Northeast  
35                  corner of the East Half of the Southeast Quarter of  
36                  Section 32, Township 31 North, Range 13 East; thence  
37                  South 10 minutes West a distance of 485.1 feet; thence  
38                  west a distance of 90.5 feet; thence north 10 minutes  
39                  east a distance of 485.1 feet to the north line of the  
40                  East Half of the Southeast Quarter of Section 32,  
41                  Township 31 North, Range 13 East; thence East along the  
42                  said North line of the East Half of the Southeast  
43                  Quarter of Section 32, Township 31 North, Range 13  
44                  East, a distance of 90.5 feet to the place of begin-  
45                  ning, containing 1.00 acre of land, more or less.

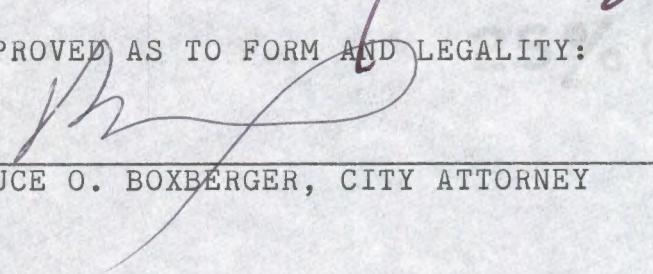
EXCEPTING THEREFROM that portion thereof conveyed for  
the widening of East State Blvd.

1 and the symbols of the City of Fort Wayne Zoning Map No.  
2 S-14, as established by Section 11 of Chapter 33 of the Code  
3 of the City of Fort Wayne, Indiana are hereby changed  
4 accordingly.

5 SECTION 2. That this Ordinance shall be in full force  
6 and effect from and after its passage and approval by the  
7 Mayor.

8 APPROVED AS TO FORM AND LEGALITY:

9   
10 COUNCILMEMBER

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12 BRUCE O. BOXBERGER, CITY ATTORNEY

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Read the first time in full and on motion by Eisbark  
seconded by Glees, and duly adopted, read the second time  
by title and referred to the Committee Regulations (and the C  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. M.,

DATE: 10-14-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbark  
seconded by Glees, and duly adopted, placed on it  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>			
<u>BRADBURY</u>	<u>✓</u>				
<u>BURNS</u>	<u>✓</u>				
<u>EISBART</u>	<u>✓</u>				
<u>GiaQUINTA</u>	<u>✓</u>				
<u>HENRY</u>	<u>✓</u>				
<u>REDD</u>	<u>✓</u>				
<u>SCHMIDT</u>	<u>✓</u>				
<u>STIER</u>		<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>				

DATE: 11-25-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-14-86  
on the 25th day of November, 1986

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana  
on the 26th day of November, 1986  
at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of November  
1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR

**RECEIPT**

COMMUNITY DEVELOPMENT &amp; PLANNING

No 1127

Ft. Wayne, Ind., 8-1 1986

RECEIVED FROM Evergreen Asso (C.R.) \$ 50.00  
THE SUM OF Fifty 00 DOLLARS  
ON ACCOUNT OF Placing signs R-3 to P.O.D.  
8117 Leed Road P.W.

AUTHORIZED SIGNATURE

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

x/w We Richard Daugherty and Teresa Daugherty  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an P.O.D. District the property described as follows:

2.08 acres in the E 1/2 of the SE 1/4 of Section 32, Township 31 North,  
Range 13 East, more fully described on Exhibit A attached  
(more commonly known as 2117 Reed Road)

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/we, the undersigned, certify that I am/we are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Richard Daugherty

2117 Reed Road, Ft. Wayne, IN  
46815

*\* Richard Daugherty*  
*\* Teresa Daugherty*

Teresa Daugherty

2117 Reed Road, Ft. Wayne, IN  
46815

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_  
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

590 Lincoln Tower

William D. Swift  
(Name)

Ft. Wayne, IN 46802

(Address & Zip Code)

423-4422

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

**EXHIBIT A**

1.03 acres of land in the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at the Northeast corner of the East half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana; thence South 10 minutes West along East line of the said East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 485.1 feet; thence West a distance of 95.0 feet; thence North 10 minutes East a distance of 485.1 feet to the North line of the said East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 95.0 feet to the place of beginning;

ALSO,

1.0 acre of land in the East half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at a point on the North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East in Allen County, Indiana, the said point being situated 95.0 feet west of the Northeast corner of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence South 10 minutes West a distance of 485.1 feet; thence west a distance of 90.5 feet; thence north 10 minutes east a distance of 485.1 feet to the north line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East; thence East along the said North line of the East Half of the Southeast Quarter of Section 32, Township 31 North, Range 13 East, a distance of 90.5 feet to the place of beginning; containing 1.00 acre of land, more or less.

EXCEPTING THEREFROM that portion thereof conveyed for the widening of East State Blvd.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1986 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-10-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1986.

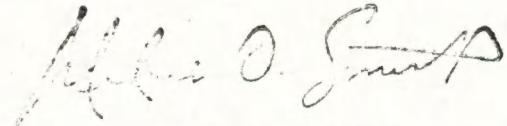
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1986.

Certified and signed this  
6th day of November 1986.

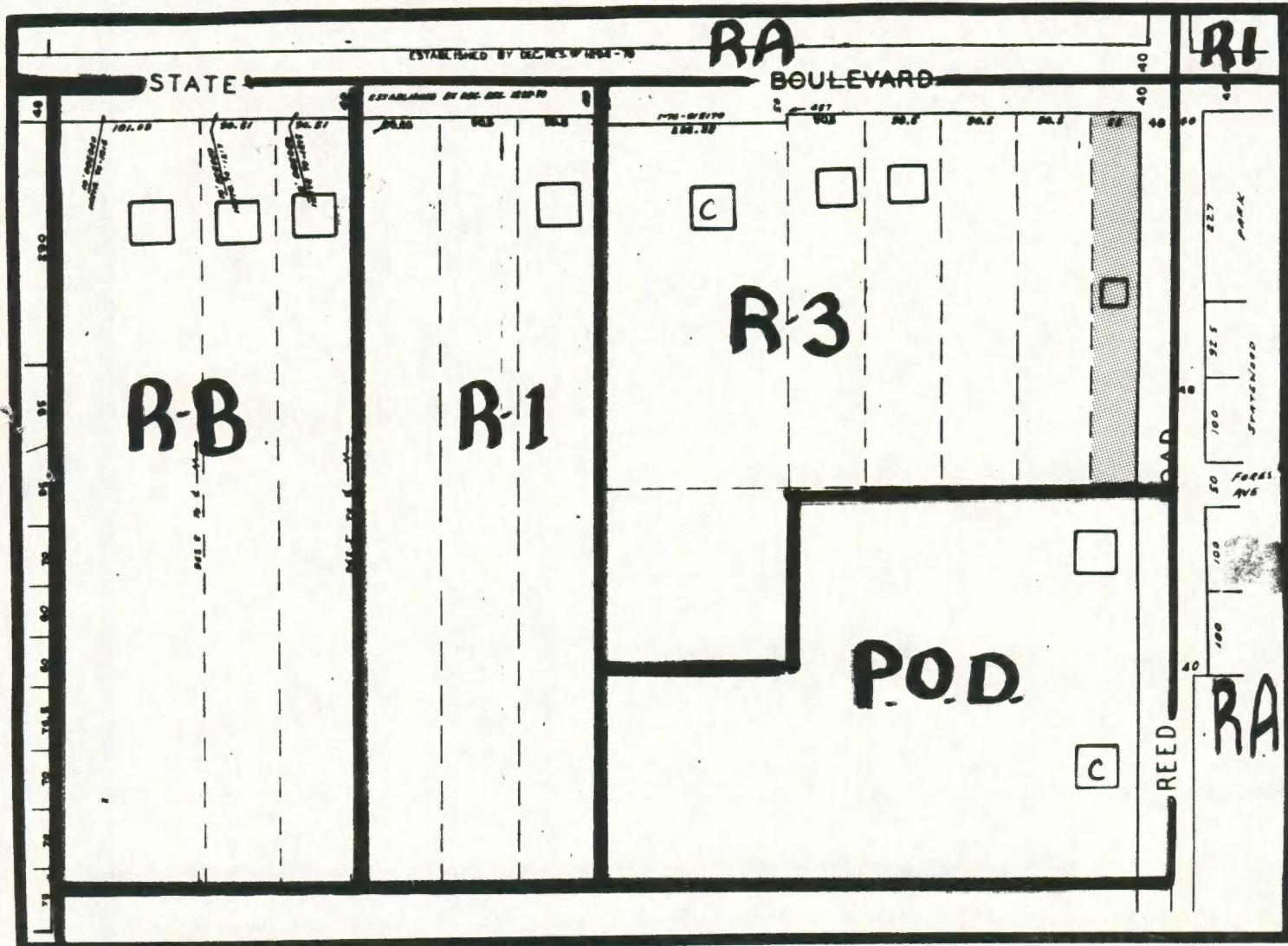
  
Melvin O. Smith  
Secretary

**REZONING PETITION #225**

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-3 TO A P.O.D. DISTRICT.

MAP NO. S-14

COUNCILMANIC DISTRICT NO. 2

**ZONING:**

- RI RESIDENTIAL DISTRICT
- R3 RESIDENTIAL DISTRICT
- RA RESIDENCE 'A'
- RB RESIDENCE 'B'
- P.O.D. PROFESSIONAL OFFICE DISTRICT

**LAND USE:**

- SINGLE FAMILY
- COMMERCIAL

**SCALE:** 1"=200'

**DATE:** 8-28-86



**Division of Community  
Development & Planning**

4-00-10-11

BILL NUMBER

**BRIEF TITLE**

Zoning Ordinance Amendment  
From R-3 to POD

**APPROVAL DEADLINE**

**REASON**

**DETAILS**

**Specific Location and/or Address**

2117 Reed Road

**Reason for Project**

To allow for expansion of a Professional Office District.

**Discussion (Including relationship to other Council actions)**

20 October 1986 - Public Hearing

William Swift attorney for the petitioners stated that this rezoning is in correlation with the requested rezoning at 4524 E. State Bl, which is part of the same parcel. He stated they want to rezone this property to a POD and make it part of the State/Reed Professional Office Park. He stated that this rezoning would make for a more uniform development of the area. He stated again that they have no conflict with the requested conditions placed on the property by staff, with the exception of the 30 foot setback on the west side of the property.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

27 October 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

**POSITIONS**

**RECOMMENDATIONS**

<b>Sponsor</b>	City Plan Commission	
<b>Area Affected</b>	<b>City Wide</b>	<b>Other Areas</b>
<b>Applicants/ Proponents</b>	<b>Applicant(s)</b> Richard & Teresa Daugherty <b>City Department</b> <b>Other</b>	
<b>Opponents</b>	<b>Groups or Individuals</b> <b>Basis of Opposition</b>	
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>Reason Against</b>	
<b>Board or Commission Recommendation</b>	<b>By</b> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions <b>(See Details column for conditions)</b>	
<b>CITY COUNCIL ACTIONS (For Council use only)</b>	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass	

**DETAILS**

Of the eight members present 7 voted in favor of approval, one did not vote.

NOTE: The 30 foot setback on the west side of the property was amended by staff to reflect the needs of the petitioner.

**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

**Project Start**

**Date** August 1, 1986

**Projected Completion or Occupancy**

**Date** November 6, 1986

**Fact Sheet Prepared by**

Patricia Biancaniello

**Date** November 6, 1986

**Reviewed by**

*Gary Beets*

**Date** 11/12/86

**Reference or Case Number**

**ORIGINAL**  
COUNCILMANIC DISTRICT NO. \_\_\_\_\_

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

**ORIGINAL**

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

*3-86-10-11*

SYNOPSIS OF ORDINANCE 2117 Reed Road

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EFFECT OF PASSAGE Property is presently zoned R-3 - Multi-Family Residential.

Property will remain POD - Professional Office District.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multi-Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.) \_\_\_\_\_

BILL NO. Z-86-10-11

REPORT OF THE COMMITTEE ON REGULATIONS

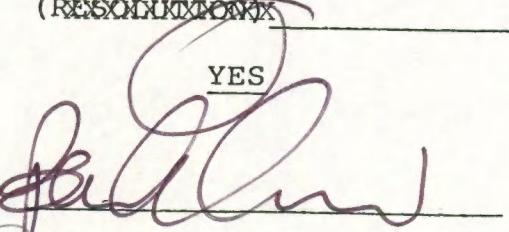
WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of  
Fort Wayne Zoning Map No. S-14

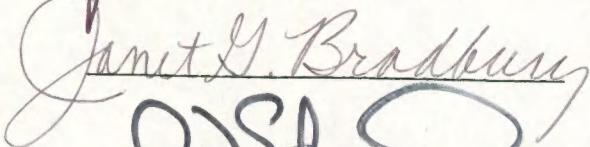
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

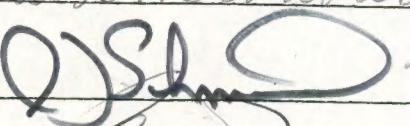
(~~RESOLUTION~~)

YES

NO

  
BEN A. EISBART  
CHAIRMAN

  
JANET G. BRADBURY  
VICE CHAIRWOMAN

  
DONALD J. SCHMIDT

  
THOMAS C. HENRY

  
CHARLES B. REDD

CONCURRED IN 11-25-86

SANDRA E. KENNEDY  
CITY CLERK